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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,682	06/25/2003	Katsuyuki Ito	MAE 287	1354
23995	7590	06/17/2004	EXAMINER	
RABIN & Berdo, PC 1101 14TH STREET, NW SUITE 500 WASHINGTON, DC 20005			GRAINGER, QUANA MASHELL	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/602,682	ITO, KATSUYUKI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Quana Grainger	2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-7 is/are rejected.
- 7) ☒ Claim(s) 2 and 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Information Disclosure Statement***

2. The information disclosure statement filed 6/25/2003 has been considered.

***Drawings***

3. The formal drawings are approved by the examiner.

***Title***

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Oshima et al. (JP10-161411A). The consumable cartridge that is attachable to a mounting portion of a body of a color image forming apparatus and holds a predetermined color developer by Oshima et al. comprises a recording device, storing first information on the consumable cartridge, the first

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information including at least color information of the color developer; and a controller, transmitting the first information to the body of the image forming apparatus (Figure 2). The consumable cartridge is attached to an image forming section of the image forming apparatus. The consumable cartridge is attached to a body of a process cartridge attached to the color image forming apparatus.

Oshima et al. teaches a consumable cartridge that is attached to a mounting portion of a body of a color image forming apparatus and holds a predetermined color developer, comprising: a recording device, storing information on the consumable cartridge, the information including at least color information of the color developer; and a controller, transmitting the information to the body of the color image forming apparatus. The apparatus comprising: a mounting portion to which the consumable cartridge is attached.

7. Claims 1 and 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Wada et al. (5,075,724). The consumable cartridge that is attachable to a mounting portion of a body of a color image forming apparatus and holds a predetermined color developer by Wada et al. comprises a recording device, storing first information on the consumable cartridge, the first information including at least color information of the color developer; and a controller, transmitting the first information to the body of the image forming apparatus (Figure 2) column 5, lines 53-61; column 9, lines 40-49). The consumable cartridge is attached to an image forming section of the image forming apparatus. The consumable cartridge is attached to a body of a process cartridge attached to the color image forming apparatus.

Wada et al. teaches a consumable cartridge that is attached to a mounting portion of a body of a color image forming apparatus and holds a predetermined color developer, comprising: a recording device, storing information on the consumable cartridge, the information including at least color information of the color developer; and a controller, transmitting the information to the body of the color image forming apparatus. The apparatus comprising: a mounting portion to which the consumable cartridge is attached.

8. Claims 1 and 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Toyoshima (JP10-198236A). The consumable cartridge that is attachable to a mounting portion of a body of a color image forming apparatus and holds a predetermined color developer, comprising: a recording device, storing first information on the consumable cartridge, the first information including at least color information of the color developer; and a controller, transmitting the first information to the body of the image forming apparatus (Figures 1-2). The consumable cartridge is attached to an image forming section of the image forming apparatus. The consumable cartridge is attached to a body of a process cartridge attached to the color image forming apparatus.

Toyoshima teaches a consumable cartridge that is attached to a mounting portion of a body of a color image forming apparatus and holds a predetermined color developer, comprising: a recording device, storing information on the consumable cartridge, the information including at least color information of the color developer; and a controller, transmitting the information to the body of the color image forming apparatus. The apparatus comprising: a mounting portion to which the consumable cartridge is attached.

***Prior Art of Record***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Barry et al. (5,634,169) teaches a developing cartridge with a memory device that stores color information.

***Allowable Subject Matter***

10. Claims 2-3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Contact Information***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quana Grainger whose telephone number is 571-272-2135. The examiner can normally be reached on weekdays between the hours of 7-4:30.

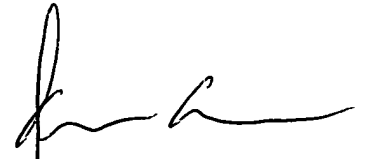
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on 571-272-2136. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Quana Grainger', with a long horizontal flourish extending to the right.

Quana Grainger  
Primary Examiner  
Art Unit 2852

QG